

2 Introduction

2.1 The issue is reciting irrelevant prior art

The main problem that I hope to address in this letter is the needless recitation of irrelevant prior art, either by me, or by the USPTO. Citing and responding to irrelevant prior art wastes time and effort for all parties involved.

In particular, because I am an unpaid pro se inventor, I believe the costs of responding to irrelevant prior art bother me more than the US Patent and Trademark office.

2.2 I was told by a USPTO PAC examiner not to do it

I phoned the USPTO PAC (Patent Assistance Center) to inquire about the utility of me citing irrelevant prior art on my applications, just to show some prior art for prosecution purposes. I had read that some people (including examiners) believed that a patent application was “stronger” if it showed some prior art during its prosecution.

The USPTO PAC examiner directly told me to NOT send them “useless or irrelevant” prior art references that they had to review unnecessarily.

2.3 But irrelevant prior art is being cited against my applications

Accordingly, I have not cited any irrelevant prior art in my patent pending application. Perhaps my course of action was not the wisest one, because I find myself responding to *clearly irrelevant* prior art on many of my applications.

2.4 The main cause is my use of special lexicographic terms

The main cause of the issue appears to be my use of special lexicographic terms involving the word “collection.”

In my applications, I define “collection” to be an inventive data structure that is practical, novel, and non-obvious to those skilled in the programming arts. Collections are practically useful in the construction of totally automated collection processing systems, where no human labor is involved.

However, examiners sometimes miss this special lexicographic use of the word “collection,” and apparently think that my application is using the common dictionary meaning of the word. Examiners often perform a full text search on the prior art for my keyword “collection,” and then cite various search results as prior art against my application.

As you might appreciate, any prior art that uses the word “collection” in accordance with the normal dictionary meaning must be irrelevant to my own application, because we use the word to mean two different things. I mean an inventive data structure, and the searched-for prior art means “a collection or group of things.”

2.5 Goals of this letter

In this letter, I hope to remind examiners of three things:

- That I use special lexicographic terms such as “collection”, as permitted by US patent law.
- That the special terms refer to inventive collection data structures that are statutory subject matter.
- That my claims each recite these special lexicographic terms to embody my inventive data structures in my claims, to limit the claims.
- That prior art which uses the word “collection” in the normal dictionary sense is very, very, likely to be irrelevant.

Accordingly, I respectfully request examiners to consider these factors when citing prior art against my pending applications. I am only a pro se inventor, so the needless time and